

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES D. SUNDLY #293078,

Petitioner,

ORDER

v.

08-cv-506-slc

DEP. J. WILSON, DEP. MARKGRAF,
DEP. SEELEY, DEP. MILLER, DEP.
KOSMOSKY, DEP. VICK, SRGT.
PORTER, SRGT. PRICE, LT. TWOMBLY,
DIXIE BINGER, S. KOWALSKI and
LT. PIERCE,

Respondents.

Petitioner James D. Sundly, a prisoner at the Dane County Jail in Madison, Wisconsin, has submitted a proposed complaint. He asks for leave to proceed *in forma pauperis*. Because petitioner is a prisoner, he is subject to the 1996 Prisoner Litigation Reform Act. This means that before this court may decide whether he can proceed with his complaint *in forma pauperis*, petitioner will have to make an initial partial payment of the filing fee in the amount of \$6.60 and the remainder of the fee in monthly installments even if his request for leave to proceed is denied.

ORDER

IT IS ORDERED that petitioner is assessed \$6.60 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the clerk of court in the amount of \$6.60 on or before September 18, 2008. If, by September 18, 2008,

petitioner fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 28th day of August, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge